



Criminal Division

***Remarks of John C. Richter
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at the**

**Summit on Pornography:
Obscenity Enforcement, Corporate Participation, and
Violence Against Women and Children
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*Mr. Richter frequently speaks from notes and may depart from the speech as prepared.

Good morning, Ladies and Gentlemen:

It is always a privilege to be able to address citizens who are interested in the law enforcement efforts of the Department of Justice.

Recently, Attorney General Alberto Gonzales had his first chance to address the national conference of United States Attorneys. He talked about kids – kids in gangs and kids in child pornography. He also talked about obscenity. Here is what he said:

“I want you to remember that this Department has an obligation to protect not only our children, but all citizens, from obscenity.”

As you know, we at the Department have a lot on our plates, especially in this post 9-11 era. We handle all types of federal criminal prosecutions across the United States, including terrorism and national security, organized crime and corporate fraud, international narcotics, IP piracy and theft, human trafficking, child sexual exploitation, and, of course, child pornography and adult obscenity.

One common thread in all we handle is that all crimes involve victims. Sometimes the victim is society as a whole, sometimes industry, but most often there are individual persons who suffer the consequences of crime. It is the victimization from obscenity that has metastasized in recent years and that I want to talk about in the few minutes I have today.

As we all know, since the mid-1990's, the Internet has become the mass

communication tool for adults and children across the country and throughout the world. And what a great tool it is. With the light of better communication, however, came a dark side. Predators, con-men, those who prey on people, and the pornography industry have made great use of the Internet for their own insidious purposes.

As a result, for the first time in human history, hard-core pornography was made available to everyone, at home and away. Adults and children could find it when they looked for it and pornography found them even when they weren't looking for it.

Today, you don't have to drive down the dark back alleys of a big city to find hard-core pornography. Instead, the Internet brings pornography right into our homes. That means our kids see it, our spouses see it – frankly, too many people see it. That also means that a lot of people are enticed by it. It also creates any even danger, however, that because obscene material is so accessible, many may fail to realize that availability does not equate to legality.

Despite the easy access and relative anonymity that the Internet brings, the law still says it is a felony to ship or transmit obscene material through the facilities of interstate and foreign commerce, including interactive computer systems. As our Supreme Court has reinforced, transmitting obscenity and child pornography – whether via the Internet or other means – is already illegal under our federal laws. These are the federal laws we in the Department have sworn duty to enforce.

As you are well aware, our enforcement efforts in this area are not without challenges, however. Among them, the fact that the pornography industry and its

marketing methods have become more technically sophisticated and more internationally connected. One emerging threat is that of peer-to-peer networking, which allows thousands of people, including children, access to thousands of computers – potentially to obtain obscenity.

In confronting the increase in technical sophistication of our adversaries, one of the tools we use is our High Tech Investigative Unit. The High Tech unit is staffed by skilled computer forensic specialists who understand the new technologies, identify critical evidence, and anticipate emerging criminal methods.

We recently also added another tool to our arsenal in the fight against the illegal traffic in obscenity. As you may have heard, last week our office announced the formation of a new Obscenity Prosecution Task Force in the Criminal Division to handle prosecutions of federal obscenity cases on a concentrated basis.

The Task Force will work with federal and state investigative agencies to identify, investigate, and prosecute federal obscenity crimes and their perpetrators wherever the evidence leads them.

The Task Force will consist of prosecutors from the Child Exploitation and Obscenity Section, who will be devoted exclusively to obscenity prosecutions.

The Task Force will also draw upon the expertise of the Organized Crime and Racketeering Section, the Asset Forfeiture and Money Laundering Section, and the Computer Crime and Intellectual Property Section, all of which bring special skills to the enforcement of the obscenity laws.

The Task Force will have its own Director and will work with our own Bruce Taylor, who will serve as Counsel to the Task Force.

The inception of the Obscenity Prosecution Task Force is significant, we believe, because we can draw on the expertise that we have gained over the past few years, marshal our best resources to expand the work we have begun, and face the even more challenging obscenity crimes out there today.

The Task Force will benefit from the experience we have garnered through such prosecutions as *United States v. John Kenneth Coil*.

Coil was a major supplier of adult obscenity in the Southwest, who used front companies to run his hard-core adult pornography stores. He sold obscenity, which is a crime, and he operated his businesses as a racketeering enterprise, which is another crime, and didn't pay all his fair share of taxes, either, which, as you know, is still another crime. We were ready for trial when he decided to plead guilty to all three of those crimes. As part of his guilty plea, he forfeited his criminal enterprise in Texas, amounting to over 40 pieces of realty and more than 20 stores. The judge sentenced him to serve over five years in federal prison.

Partnering with the U.S. Attorney's Office for the Northern District of Texas, we recently obtained an indictment in *United States v. Wedelstedt*, which charges multiple obscenity, racketeering, and tax offenses going back several years and involving dozens of hard-core pornography stores and video-arcades in several states.

I am pleased that to inform you that the Department, in ensuring that the

prosecution of obscenity cases remains a high priority, has taken other steps to further ensure that this Task Force won't work alone. For example, the Attorney General recently asked the U.S. Attorneys to assess what methods they could use, and what tools they still need, to more effectively investigate and prosecute obscenity crimes in their districts.

In sum, we aren't backing down to the purveyors of obscenity, and our response to the increased sophistication and brazenness of these criminals is to increase our technical expertise and re-dedicate our best professionals to the law enforcement battles that must be fought to bring them to justice. We are fortunate, however, in that we do not fight these battles alone. We know that folks like you here today – decent, honest Americans – support us. And it is my last privilege today to ask for your continued support as we continue to move forward. I want you to think of our team as I think of them: As those men and women, at Justice, who seek justice, by doing justice, for those who deserve justice. Thank you for your help.